

ATTACHMENT 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Donald Margolis vs. City of Amherst, <i>et al.</i>	Plaintiff, Defendants.) CASE NO. 1:23-cv-1648))
) JUDGE CHARLES E. FLEMING))
) <u>REPORT OF PARTIES' PLANNING</u>)
) <u>MEETING UNDER FED. R. CIV.</u>)
) <u>26(f) AND 16.3(b)</u>)

1. Pursuant to Fed. R. Civ. P. 26 (f) and L.R. 16.3 (b), a meeting was held on

December 12, 2023, 2023, and was attended by:

_____Counsel for plaintiff (s): Subodh Chandra
_____Counsel for plaintiff (s)
_____Counsel for defendant(s) Gregory Beck
_____Counsel for defendant(s)

2. The parties:

_____have exchanged the pre-discovery disclosures required by Rule 26 (a) (1)

X will exchange such disclosures by December 21, 2023

_____have not been required to make initial disclosures.

3. The parties recommend the following track:

Expedited Standard Complex

Administrative Mass Tort

4. This case is automatically designated as suitable for Electronic Case Filing (ECF). Is there any reason that the designation should change to “not suitable for ECF”? No. _____

5. Choose one of the following:

This case **is** suitable now for ADR or _____ (insert an alternative ADR).

or, Mediation with an assigned or other Magistrate Judge.

Case **is not** suitable for ADR at this time.

or,

Case **is not** suitable for ADR at any time.

6. The parties _____ do/X _____ do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).

7. Federal jurisdiction is based upon federal question (42 U.S.C. § 1983) _____

8. Recommended Discovery Plan:

- a) Describe the claims & defenses on which discovery is to be sought and the nature and extent of discovery.

Plaintiff will seek discovery based on the federal and pendent claims, including written discovery tools (interrogatories, document requests, and requests for admissions), and take depositions of Defendants and others identified in discovery.

Defendants will seek discovery based on defenses of qualified immunity and other immunity barring claims.

- b) Non-Expert discovery deadline: June 28, 2024

- c) If applicable, set forth the issues that will be addressed by experts and provide proposed deadlines: Although it is too early to be certain, Plaintiff may introduce an expert about the propriety of police conduct in the case. The parties request that the Court permit any expert discovery on damages to be deferred until after dispositive-motion practice.
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Expert report for the party with the burden of proof deadline: (Liability only) August 2, 2024 Rebuttal expert report deadline: (Liability only.) September 4, 2024

Expert discovery cut-off deadline: (Liability only.) October 4, 2024

- 9 The pleadings shall be amended **without** leave of Court on or before: March 29, 2024.
10. Recommended dispositive motion date: November 1, 2024.
11. Recommended date for a Status Conference July 1, 2023 or Settlement Conference Same.
12. Other matters for the attention of the Court: If early mediation fails, the parties will confer fails to develop an ESI protocol alternative to Appendix K and will reach out to the Court if they are unable to agree.
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Attorney for Plaintiff (s): /s/ Subodh Chandra

Attorney for Plaintiff (s)_____

Attorney for Plaintiff (s)_____

/s/ Gregory Beck
Attorney for Defendant(s)_____

Attorney for Defendant(s)_____

Attorney for Defendant(s)_____

Revised 4/12/22